

# King County Community and Human Services Office of the Public Defender (OPD) - Summary Dashboard Report

Data through June 2010

Other Important 2010 Metrics		
	2Q10	Q1-Q2 to date
# of new cases assigned	3,793	9,171
# of nonduplicated clients assigned	3,582	8,260
% of clients screened (new cases only)	40%	41%
# of clients screened (new cases only)	1,437	3,391
# of clients screened (all cases)	2,711	5,386
# of promissory notes issued	2,155	4,214
\$ amount of promissory notes issued	\$ 269,684	\$ 470,594
# of expert requests received	705	1,422
% of expert requests approved by OPD	95%	94%

2010 Business Plan Performance Measures								
	Status	Hist Avg	08 Target	08 Actual	09 Target *	Jan-Jun 10**	Jul-Dec 09**	Bench mark
Variance in Felony Caseload	◆	1.3%	≤ 0%	-15.2%	≤ 0%	0.0%	-11.3%	
Variance in Misdemeanor Caseload	▼	1.6%	≤ 0%	-7.3%	≤ 0%	21.6%	0.0%	
Variance in Juvenile Caseload	▲	-5.3%	≤ 0%	0.0%	≤ 0%	-2.2%	0.0%	
Variance in Dependency Caseload	▲	2.8%	≤ 0%	1.4%	≤ 0%	0.0%	0.0%	
Average days to in custody felony assignment (YTD)	▲	NA	≤ 1 day	0.7	≤ 1 day	0.95		
Average days to out of custody felony assignment (YTD)	▲	NA	≤ 5 days	3.39	≤ 5 days	4.83		
% of cases where defendant is contacted by agency within 1 day ( IC = In Custody) or 5 days (OC = Out of Custody)	--	NA	100.0%	68% IC 88% OC	100.0%	annual site visit		
Number of complaints received and % determined to be valid (YTD)	▲	NA	NA	NA	100 / 0%	38 / 0%		

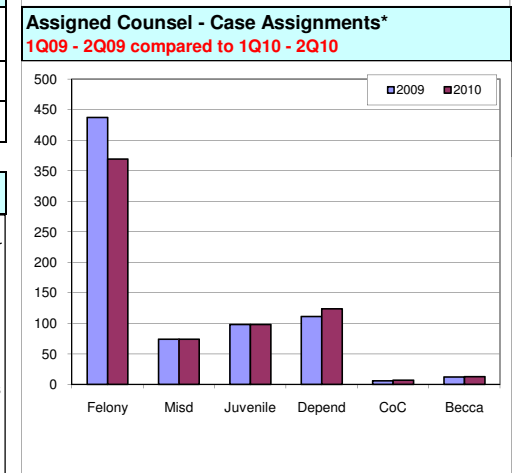
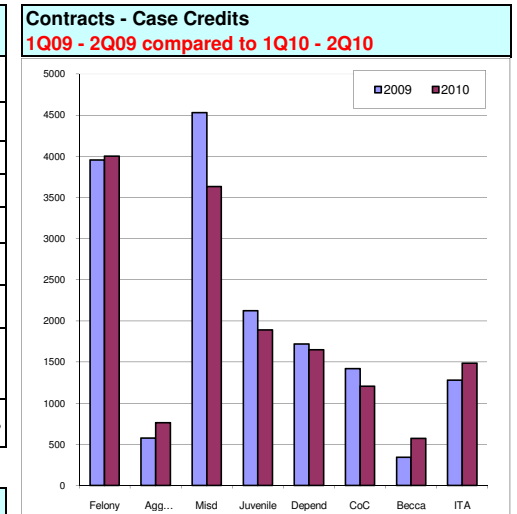
\* Annual Target contract variance reflects off-set contract running 7/1/09-6/30/10.

\*\* Variance rates for 1st & 2nd half 2010 shown separately to reflect changes as a result of new contract year starting 7/1/09.

Other Notable Items 2Q- 2010	
<p>Late 2008, Council amended King County code to change the contract period for public defense services from Jan-Dec to July -June. Contracts under the revised code were signed 7/1/09. These contracts were amended December 2009 to reflect caseload changes, COLA and estimated attorney salary parity for 2010. Further amendments executed 2010 to reflect the attorney salary "true up".</p> <p>On June 1, 2009 Council approved Ordinance 16542, which includes a requirement that OPD conduct a study of the county's public defense case weighting methodology in paying for public defense services. Data collection under the study began in November 2009 and concluded February 16, 2010. Final report was submitted on April 30, 2010 and accepted by Case Weighting Steering Committee. OPD working with Executive Staff and Budget Office Staff on implementation plan.</p> <p>OPD continues to offer free Continuing Legal Education classes that have been very well received by assigned counsel and agency attorneys. Recent trainings include:</p> <ul style="list-style-type: none"> <li>* Confidentiality, Candor, Zeal and the RPCs (Rules of Professional Conduct) presented by Professor Brooks Holland from Gonzaga Law School (March)</li> <li>* Ethical Issues in Representing Children presented by SCRAP Deputy Director Jana Heyd (March/April)</li> <li>* Trial Advocacy for Public Defenders: Three day Small Group Intensive presented by Ira Mickenberg, Director of the National Defender Training Project (May)</li> </ul> <p>KCC approved the 2010-2011 Public Defense contracts by Ordinance 16816, passed April 26, 2010.</p>	

Other Performance Measures								
Variance in COC Caseload	◆	NA	0.0%	3.6%	≤ 0%	0.0%	3.5%	
Variance in ITA Caseload	▼	NA	0.0%	10.0%	≤ 0%	18.2%	8.7%	
Variance in Becca Caseload	▼	NA	NA	NA	≤ 0%	167.7%	-67.7%	

Division Director's Message	
<p>Contract Case Credits: Overall, serious felonies including violent felonies and sex-related felonies are up. This is somewhat offset by the shift of lesser felony cases to expedited felonies, with a resultant reduction of felony cases overall. Felony caseload projections for 2009 &amp; 2009-2010 contracts have taken these trends into account.</p> <p>Contract Case Credits: Misdemeanor credits in 1st half 2010 excluded expedited felony cases, which were included in 1st quarter 2009 data. Change to calendar counting started in 7/1/2009 contract.</p> <p>Per Ordinance 16542, a new contract for public defense services went into effect July 1, 2009, requiring interim case weighting for certain cases. The interim system provides 10 credits upon assignment for homicide cases and 5 credits upon assignment for cases charged with the enhancer 'with sexual motivation' and subject to indeterminate life sentences. If these homicide or sex offense cases exceed 220 hours of attorney time, agencies may request three additional credits for every 50 attorney hours over 200 attorney hours. All other felonies may receive 3 credits for every 50 hours beyond the initial 12.1 hours. This was continued for 2010 by Ordinance 16717.</p> <p>The Court of Appeals decided Bellevue School District vs. E.S. which could increase attorney assignments and defense costs in truancy cases. The decision requires that public defense attorneys be provided to all juveniles charged with truancy under the Becca Bill from the date of filing, as opposed to when the case reached the point of Contempt of Court (which brings with it the possibility of juvenile detention.) This new requirement could result in a significant increase in case assignments. The case is on appeal to the WA Supreme Court, with a decision likely in mid-2010. Current Court procedures are restricting the number of truancy cases for appointment pending the outcome of this case. Truancy orders for appointment increased in January and February 2010. OPD continues to monitor and assess this development with Juvenile Court.</p> <p>Washington State Patrol added new WSP troopers as of 7/1/10, for increased DUI patrols; likely increase DUI cases in the county by 1,200 per year. OPD could receive at least half of those. Average percentage of DUI's appointed is about 60 to 75% of DUI's filed.</p> <p>Pending Aggravated Murder cases include: M. Anderson, J. McEnroe, I. Kalebu, C. Monfort, and T. Hicks. Schierman recently concluded and N. Haq concluded in January 2010 and L. Carneh concluded in late 2009. A case is under investigation from Northgate that involved a double homicide and reportedly has three potential defendants. No one is charged or in custody on this case at this time.</p>	



Improving/Target Achievable = ▲  
Unfavorable trend/Target not attainable = ▼  
Watch/Target at risk = ◆

**Key Definitions:**  
Becca: Juveniles charged under the Becca Bill  
CoC: Contempt of Court hearings  
Depend/Dependency: Child dependency hearings on parental rights  
ITA: Involuntary Treatment Act  
Misd: Misdemeanor  
OPD: Office of the Public Defender